

EXHIBIT 5

FILED

JUL X 3 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

No. M 07-1827 SI
MDL No. 1827

SPECIAL VERDICT

This Order Relates To:

Direct-Purchaser Plaintiff Class Actions

We the jury unanimously find as follows on the questions submitted to us:

Question 1: Did plaintiffs prove, by a preponderance of the evidence and in accordance with the instructions given to you, that Toshiba knowingly participated in a conspiracy to fix, raise, maintain or stabilize the prices of TFT-LCD panels?

Yes



No

If your answer to this question is "Yes," please answer the next question. If your answer to this question is "No," please go to the end of the verdict form, and sign and date it where indicated.

1 **Question 2:** Did plaintiffs prove, by a preponderance of the evidence and in accordance with the
2 instructions given to you, that the conspiracy involved TFT-LCD panels and/or finished products
3 (notebook computers, computer monitors and televisions containing TFT-LCD panels) imported into
4 the United States?

5 Yes

6 No _____
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10 If your answer to this question is "Yes," please answer the next question. If your answer to this question
11 is "No," please go to Question 4.

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13 **Question 3:** Did plaintiffs prove, by a preponderance of the evidence and in accordance with the
14 instructions given to you, that the conspiracy involving imported TFT-LCD panels and/or finished
15 products (notebook computers, computer monitors and televisions containing TFT-LCD panels)
16 produced substantial intended effects in the United States?

17 Yes

18 No _____
19

20 Please answer the next question.
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22 **Question 4:** Did plaintiffs prove, by a preponderance of the evidence and in accordance with the
23 instructions given to you, that the conspiracy involved conduct which had a direct, substantial and
24 reasonably foreseeable effect on trade or commerce in the United States?

25 Yes

26 No _____
27

28 If your answer to either Question 3 or Question 4 is "Yes," please answer the next question. If your
29 answer to both Question 3 and Question 4 is "No," please go to the end of the verdict form, and sign and
30 date it where indicated.
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1 **Question 5:** Did plaintiffs prove, by a preponderance of the evidence and in accordance with the
2 instructions given to you, that members of the Panel Class were injured as a result of the conspiracy in
3 which Toshiba knowingly participated?

4

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Yes

No _____

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If your answer to this question "Yes," please answer the next question. If your answer to this question
is "No," please go to Question 7.

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Question 6: What was the amount of damages the plaintiffs proved, by a preponderance of the evidence
and in accordance with the instructions given to you, that members of the Panel Class suffered as a result
of that injury?

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11

\$ 17,000,000
(Please fill in a dollar amount total)

12

13

Please answer the next question.

14

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Question 7: Did plaintiffs prove, by a preponderance of the evidence and in accordance with the
instructions given to you, that members of the Finished Product Class were injured as a result of the
conspiracy in which Toshiba knowingly participated?

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Yes

No _____

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If your answer to this question "Yes," please answer the next question. If your answer to this question
is "No," please go to the end of the verdict form, and sign and date it where indicated.

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Question 8: What was the amount of damages the plaintiffs proved, by a preponderance of the evidence
and in accordance with the instructions given to you, that members of the Finished Product Class
suffered as a result of that injury?

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\$ 70,000,000
(Please fill in a dollar amount total)

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United States District Court
For the Northern District of California

1 Date: 3 July 2012
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